

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

KELVIN HERNANDEZ-MENDOZA,

Petitioner,

V.

WILLIAM BARR, et al.,

## Respondent.

CASE NO. C20-1348-RSM-BAT

## **ORDER DENYING MOTION FOR COUNSEL**

The Court DENIES Petitioner’s motion to appoint counsel. Dkt. 7. There is no constitutional right to appointment of counsel in § 2241 habeas actions. The Court may appoint counsel if the “interests of justice so require,” 18 U.S.C. § 3006A(a)(2)(B), after evaluating petitioner’s likelihood of success on the merits and petitioner’s ability to articulate his claims prose in light of the complexity of the legal issues involved. *Weygardt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983) (per curiam). The Court having reviewed the record and considered both factors, concludes the interests of justice do not require the appointment of counsel in this case.

Accordingly, Petitioner’s motion to appoint counsel, Dkt. 7, is **DENIED**.

DATED this 26th day of October, 2020.

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BRIAN A. TSUCHIDA  
Chief United States Magistrate Judge